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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 SANDRA VIRGIL,

9 Plaintiff,

10 v.

11 STATE OF NEVADA,

12 Defendant.
13

2:11-CV-1970 JCM (CWH)

14 **ORDER**

15 Presently before the court is the report and recommendation of Magistrate Judge Hoffman.
16 (Doc. #4). *Pro se* plaintiff Sandra Virgil did not file any objections.

17 Magistrate Judge Hoffman recommends that the court dismiss plaintiff's complaint "with
18 prejudice because [p]laintiff voluntarily dismissed this complaint and has also failed to state a
19 claim." (Doc. #4).

20 The court states that dismissing the case is appropriate because defendant submitted a letter
21 instructing the court to "close case." (Doc. #4). Additionally, the recommendation states that "the
22 facts alleged in the complaint are completely incomprehensible" and that the "court cannot decipher
23 any logical set of facts based on [p]laintiff's submission. (Doc. #4). Thus, the court concludes that
24 the case is frivolous because it lacks an arguable basis in law and fact. (Doc. #4).

25 Upon review of the report and recommendation (doc. #4), and there not being any objections,

26 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that United States Magistrate
27 Judge Hoffman's recommendation (doc. #4) be, and the same hereby is, AFFIRMED in its entirety.
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1 IT IS THEREFORE ORDERED that the complaint in the above-captioned case be, and the
2 same hereby is, DISMISSED with prejudice.

3 DATED January 30, 2012.

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5 
6 UNITED STATES DISTRICT JUDGE